



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2278

DATE SCANNED 7-5-11

SCANNER NO. 2

SCAN OPERATOR Amv

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 31, 2011

MEMORANDUM

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *JW* JODI WINSHIP/SARI PICKERALL *JP*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 12 DAY PRE-
GENERAL REPORT (UNAUTHORIZED COMMITTEES – MONTHLY
FILERS) FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file or timely file the 2010 12 Day Pre-General Report in accordance with 2 U.S.C. 434(a). The list is comprised of unauthorized committees that file monthly.

The committees appearing on the list either filed the report more than five (5) days after the due date, failed to file the report or failed to file the report prior to four (4) days before the November 2, 2010 General Election (considered a non-filed report). In accordance with the schedule of civil money penalties at 11 CFR 111.43, these committees should be assessed the civil money penalties outlined on the attached Reason to Believe (RTB) circulation list.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report
2010 PRE-GENERAL Election Sensitive 10/21/2010 UNAUTH_M

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|--|----------------|-----------|-----------|----|--------------|-----------|-------|-------------|
| 2265 | C00005462 | 10TH DISTRICT REPUBLICAN CONGRESSIONAL COMMITTEE | MELINDA CONNER | | \$163,007 | 1 | 10/28/2010 | 7 | \$256 | \$156 |

| | | | | | | | | | | |
|------|-----------|--|--|--------------|-----------|---|------------|-----------|---------|-------|
| 2268 | C00176727 | AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES | | TODD HAUPTLI | \$135,842 | 0 | 10/27/2010 | 6 | \$2,500 | \$115 |
| 2269 | C00143560 | AMERICAN DIETETIC ASSOCIATION POLITICAL ACTION COMMITTEE | | PAUL MIFSUD | \$921,430 | 0 | 11/15/2010 | Not Filed | \$4,793 | \$550 |

| | | | | | | | | | | |
|------|-----------|---|--|------------------------|-----------|---|------------|-----------|---------|-------|
| 2271 | C00333104 | AMERICAN SOCIETY OF PENSION PROFESSIONALS & ACTUARIES PAC | | BRIAN H. GRAFF, ESQ. | \$394,054 | 0 | 10/27/2010 | 6 | \$5,175 | \$170 |
| 2272 | C00021295 | BRACEPAC | | SCOTT SEGAL | \$387,375 | 0 | 11/3/2010 | Not Filed | \$2,500 | \$550 |
| 2273 | C00072967 | COMMERCE BANCS PAC | | ROBERT LAY | \$116,061 | 0 | 11/17/2010 | Not Filed | \$3,245 | \$550 |
| 2274 | C00131607 | FLORIDA CITRUS MUTUAL POLITICAL ACTION COMMITTEE | | KEVIN E. METHENY | \$140,075 | 0 | 11/4/2010 | Not Filed | \$5,000 | \$660 |
| 2275 | C00431874 | FOLLOW THE NORTH STAR FUND | | GERALD PATRICK HALBACH | \$779,895 | 0 | 11/8/2010 | Not Filed | \$3,135 | \$550 |
| 2276 | C00473249 | GRAND CANYON STATE CAUCUS | | PATRICIA NAST BERAN | \$113,601 | 0 | 11/2/2010 | Not Filed | \$4,250 | \$550 |
| 2277 | C00428094 | INTEGRAPAC OF INTEGRA TELECOM HOLDINGS INC. | | DALE PERRY | \$342,057 | 0 | 10/29/2010 | Not Filed | \$4,941 | \$550 |
| 2278 | C00394650 | JBS USA LLC PAC | | DENNIS ROERTY | \$294,127 | 0 | 11/19/2010 | Not Filed | \$7,674 | \$660 |

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| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|----------------|-----------------------|-------------|----|--------------|-----------|----------|-------------|
| 2279 | C00382796 | LOUISIANA HEALTH CARE GROUP EMPLOYEE FEDERAL POLITICAL ACTION COMMITTEE INC | | ALBERT SIMIEN | \$146,995 | 0 | 11/18/2010 | Not Filed | \$8,800 | \$660 |
| 2280 | C00247403 | NORPAC | | KAREN PICHKHADZE | \$2,411,867 | 0 | 10/27/2010 | 6 | \$56,172 | \$990 |
| 2281 | C00374298 | PEANUT BUYING POINT PAC AKA PBP-PAC | | J. TYRON SPEARMAN | \$124,691 | 0 | 11/15/2010 | Not Filed | \$1,000 | \$550 |
| 2282 | C00009639 | SUNTRUST BANK GOOD GOVERNMENT GROUP - GEORGIA | | CHRISTIAN D. BEYERS | \$235,868 | 0 | 11/8/2010 | Not Filed | \$13,250 | \$990 |
| 2283 | C00202861 | THE SENATE VICTORY FUND PAC | | JOHN M. ROBINSON, CPA | \$1,105,768 | 0 | 11/9/2010 | Not Filed | \$14,686 | \$990 |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation - 2010)
 12 Day Pre-General Report (Unauthorized)
 Committees - Monthly Filers) for the)
 Administrative Fine Program:)
 10TH DISTRICT REPUBLICAN) AF# 2265
 CONGRESSIONAL COMMITTEE, and)
 CONNER, MELINDA as treasurer;)
 AMERICAN ASSOCIATION OF) AF# 2268
 AIRPORT EXECUTIVES, and HAUPTLI,)
 TODD as treasurer;)
 AMERICAN SOCIETY OF PENSION) AF# 2271
 PROFESSIONALS & ACTUARIES PAC,)
 and BRIAN H.MR. GRAFF ESQ. as)
 treasurer;)
 NORPAC, and PICHKHADZE, KAREN as) AF# 2280
 treasurer;)

AMERICAN DIETETIC ASSOCIATION) AF# 2269
 POLITICAL ACTION COMMITTEE, and)
 MIFSUD, PAUL as treasurer;)

BRACEPAC, and SEGAL, SCOTT as) AF# 2272
 treasurer;)
 COMMERCE BANCS PAC, and ROBERT) AF# 2273
 LAY as treasurer;)
 FLORIDA CITRUS MUTUAL) AF# 2274
 POLITICAL ACTION COMMITTEE, and)
 KEVIN E. METHENY as treasurer;)
 FOLLOW THE NORTH STAR FUND, and) AF# 2275
 HALBACH, GERALD PATRICK MR. as)
 treasurer;)
 GRAND CANYON STATE CAUCUS, and) AF# 2276
 BERAN, PATRICIA NAST as treasurer;)

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| | | |
|-------------------------------------|---|----------|
| INTEGRAPAC OF INTEGRA TELECOM |) | AF# 2277 |
| HOLDINGS INC., and DALE PERRY as |) | |
| treasurer; |) | |
| JBS USA LLC PAC, and ROERTY, |) | AF# 2278 |
| DENNIS as treasurer; |) | |
| LOUISIANA HEALTH CARE GROUP |) | AF# 2279 |
| EMPLOYEE FEDERAL POLITICAL |) | |
| ACTION COMMITTEE INC, and SIMIEN, |) | |
| ALBERT as treasurer; |) | |
| PEANUT BUYING POINT PAC AKA |) | AF# 2281 |
| PBP-PAC, and J TYRON SPEARMAN as |) | |
| treasurer; |) | |
| SUNTRUST BANK GOOD |) | AF# 2282 |
| GOVERNMENT GROUP - GEORGIA, |) | |
| and BEYERS, CHRISTIAN D. MR. as |) | |
| treasurer; |) | |
| THE SENATE VICTORY FUND PAC, and |) | AF# 2283 |
| ROBINSON, JOHN M. CPA as treasurer; |) | |

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on February 02, 2011 the Commission took the following actions on the Reason To Believe Recommendation - 2010 12 Day Pre-General Report (Unauthorized Committees - Monthly Filers) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated January 31, 2011, on the following committees:

AF#2265 Decided by a vote of 6-0 to: (1) find reason to believe that 10TH DISTRICT REPUBLICAN CONGRESSIONAL COMMITTEE, and CONNER, MELINDA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2268 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES, and HAUPTLI, TODD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2271 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN SOCIETY OF PENSION PROFESSIONALS & ACTUARIES PAC, and BRIAN H.MR. GRAFF ESQ. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision:

AF#2280 Decided by a vote of 6-0 to: (1) find reason to believe that NORPAC, and PICHKHADZE, KAREN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2269 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN DIETETIC ASSOCIATION POLITICAL ACTION COMMITTEE, and MIFSUD, PAUL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2272 Decided by a vote of 6-0 to: (1) find reason to believe that BRACEPAC, and SEGAL, SCOTT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2273 Decided by a vote of 6-0 to: (1) find reason to believe that COMMERCE BANCS PAC, and ROBERT LAY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2274 Decided by a vote of 6-0 to: (1) find reason to believe that FLORIDA CITRUS MUTUAL POLITICAL ACTION COMMITTEE, and KEVIN E. METHENY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2275 Decided by a vote of 6-0 to: (1) find reason to believe that FOLLOW THE NORTH STAR FUND, and HALBACH, GERALD PATRICK MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2276 Decided by a vote of 6-0 to: (1) find reason to believe that GRAND CANYON STATE CAUCUS, and BERAN, PATRICIA NAST as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2277 Decided by a vote of 6-0 to: (1) find reason to believe that INTEGRAPAC OF INTEGRA TELECOM HOLDINGS INC., and DALE PERRY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2278 Decided by a vote of 6-0 to: (1) find reason to believe that JBS USA LLC PAC, and ROERTY, DENNIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on

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the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2279 Decided by a vote of 6-0 to: (1) find reason to believe that LOUISIANA HEALTH CARE GROUP EMPLOYEE FEDERAL POLITICAL ACTION COMMITTEE INC, and SIMIEN, ALBERT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2281 Decided by a vote of 6-0 to: (1) find reason to believe that PEANUT BUYING POINT PAC AKA PBP-PAC, and J TYRON SPEARMAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2282 Decided by a vote of 6-0 to: (1) find reason to believe that SUNTRUST BANK GOOD GOVERNMENT GROUP - GEORGIA, and BEYERS, CHRISTIAN D. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2283 Decided by a vote of 6-0 to: (1) find reason to believe that THE SENATE VICTORY FUND PAC, and ROBINSON, JOHN M. CPA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 4, 2011
Date


Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 7, 2011

Dennis Roerty, in official capacity as Treasurer
JBS USA LLC PAC
1770 Promontory Circle
Greeley, CO 80634

C00394650
AF#: 2278

Dear Mr. Roerty:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period through October 13, 2010, shall be filed no later than October 21, 2010. 2 U.S.C. § 434(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed prior to four (4) days before the General Election held on November 2, 2010, it is considered not filed for the purpose of calculating the civil money penalty.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On February 2, 2011, the FEC found that there is reason to believe ("RTB") that JBS USA LLC PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before October 21, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$660. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$660 is due within forty (40) days of the finding, or by March 14, 2011, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$7,674

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the General Election held on November 2, 2010 are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

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If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or March 14, 2011. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that JBS USA LLC PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

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action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,


Cynthia L. Bauerly
Chair

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$660 for the 2010 Pre-General Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by March 14, 2011. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: JBS USA LLC PAC

FEC ID#: C00394650

AF#: 2278

PAYMENT DUE DATE: March 14, 2011

PAYMENT AMOUNT DUE: \$660

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 16, 2011

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer
Acting Staff Director

FROM: Patricia Carmona *PC*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *JW* Jodi Winship/Sari Pickeral *SP*
Compliance Branch

SUBJECT: Administrative Fine Program - Final Determination Recommendation for the
2010 12 Day Pre-General Report (Unauthorized Committees-Monthly Filers)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2010 12 Day Pre-General Report (Unauthorized Committees-Monthly Filers). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

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RAD Recommendation

- (1) Make final determination that the political committees and their treasurers listed on the attached reports violated 2 U.S.C. § 434(a) and assess the final civil money penalties so indicated.**
- (2) Send the appropriate letters.**

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Federal Election Commission
FD Circulation Report Fine Paid
2010 PRE-GENERAL Election Sensitive 10/21/2010 UNAUTH_M

| AF# | Committee Name | Candidate Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTB Date | RTB Penalty | Final Money Penalty | Date Paid | Amount Paid |
|------|---|----------------|--------------|----------------|--------------|-----------|---------|----|------------|-------------|---------------------|------------|-------------|
| 2265 | 10TH DISTRICT REPUBLICAN CONGRESSIONAL COMMITTEE | | C00005482 | MELINDA CONNER | 10/28/2010 | 7 | \$258 | 1 | 02/02/2011 | \$158 | \$158 | 03/17/2011 | \$158 |
| 2268 | AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES AMERICAN DIETETIC ASSOCIATION POLITICAL ACTION COMMITTEE | | C00178727 | TODD HAUPTELI | 10/27/2010 | 6 | \$2,500 | 0 | 02/02/2011 | \$115 | \$115 | 02/14/2011 | \$115 |
| 2269 | | | C00143580 | PAUL MIFSUD | 11/15/2010 | Not Filed | \$4,793 | 0 | 02/02/2011 | \$550 | \$550 | 02/17/2011 | \$550 |

| | | | | | | | | | | | | | |
|------|--|--|-----------|------------------------|------------|-----------|----------|---|------------|-------|-------|------------|-------|
| 2271 | AMERICAN SOCIETY OF PENSION PROFESSIONALS & ACTUARIES PAC | | C00333104 | BRIAN H. GRAFF, ESQ. | 10/27/2010 | 6 | \$5,175 | 0 | 02/02/2011 | \$170 | \$170 | 02/21/2011 | \$170 |
| 2272 | BRACEPAC | | C00021295 | SCOTT SEGAL | 11/03/2010 | Not Filed | \$2,500 | 0 | 02/02/2011 | \$550 | \$550 | 02/15/2011 | \$550 |
| 2273 | COMMERCE BANKS PAC | | C00072987 | ROBERT LAY | 11/17/2010 | Not Filed | \$3,245 | 0 | 02/02/2011 | \$550 | \$550 | 03/14/2011 | \$550 |
| 2274 | FLORIDA CITRUS MUTUAL POLITICAL ACTION COMMITTEE | | C00131607 | KEVIN E. METHENY | 11/04/2010 | Not Filed | \$5,000 | 0 | 02/02/2011 | \$680 | \$680 | 02/25/2011 | \$680 |
| 2275 | FOLLOW THE NORTH STAR FUND | | C00431874 | GERALD PATRICK HALBACH | 11/08/2010 | Not Filed | \$3,135 | 0 | 02/02/2011 | \$550 | \$550 | 03/14/2011 | \$550 |
| 2276 | GRAND CANYON STATE CAUCUS | | C00473249 | PATRICIA NAST BERAN | 11/02/2010 | Not Filed | \$4,250 | 0 | 02/02/2011 | \$550 | \$550 | 03/08/2011 | \$550 |
| 2277 | INTEGRAPAC OF INTEGRA TELECOM HOLDINGS INC. | | C00428094 | DALE PERRY | 10/29/2010 | Not Filed | \$4,941 | 0 | 02/02/2011 | \$550 | \$550 | 03/09/2011 | \$550 |
| 2278 | JBS USA LLC PAC | | C00394650 | DENNIS ROERTY | 11/19/2010 | Not Filed | \$7,574 | 0 | 02/02/2011 | \$680 | \$680 | 02/28/2011 | \$680 |
| 2279 | LOUISIANA HEALTH CARE GROUP EMPLOYEE FEDERAL POLITICAL ACTION COMMITTEE INC | | C00382796 | ALBERT SIMIEN | 11/18/2010 | Not Filed | \$8,800 | 0 | 02/02/2011 | \$680 | \$680 | 03/10/2011 | \$680 |
| 2280 | PEANUT BUYING POINT PAC AKA PBP-PAC | | C00247403 | KAREN PICHKHADZE | 10/27/2010 | 6 | \$58,172 | 0 | 02/02/2011 | \$980 | \$980 | 02/25/2011 | \$980 |
| 2281 | SUNTRUST BANK GOOD GOVERNMENT GROUP - GEORGIA | | C00374298 | J. TYRON SPEARMAN | 11/15/2010 | Not Filed | \$1,000 | 0 | 02/02/2011 | \$550 | \$550 | 02/14/2011 | \$550 |
| 2282 | THE SENATE VICTORY FUND PAC | | C00009639 | CHRISTIAN D. BEYERS | 11/08/2010 | Not Filed | \$13,250 | 0 | 02/02/2011 | \$980 | \$980 | 03/11/2011 | \$980 |
| 2283 | | | C00202881 | JOHN M. ROBINSON, CPA | 11/09/2010 | Not Filed | \$14,886 | 0 | 02/02/2011 | \$980 | \$980 | 03/03/2011 | \$980 |

BEFORE THE FEDERAL ELECTION COMMISSION

11092660518

| | | |
|--|---|----------|
| In the Matter of |) | |
| |) | |
| Administrative Fines - Final Determination |) | |
| Recommendation for the 12 Day 2010 Pre- |) | |
| General (Unauthorized Committees- |) | |
| Monthly Filers): |) | |
| 10TH DISTRICT REPUBLICAN |) | AF# 2265 |
| CONGRESSIONAL COMMITTEE, and |) | |
| CONNER, MELINDA as treasurer; |) | |
| AMERICAN ASSOCIATION OF |) | AF# 2268 |
| AIRPORT EXECUTIVES, and HAUPTLI, |) | |
| TODD as treasurer; |) | |
| AMERICAN SOCIETY OF PENSION |) | AF# 2271 |
| PROFESSIONALS & ACTUARIES PAC, |) | |
| and BRIAN H.MR. GRAFF ESQ. as |) | |
| treasurer; |) | |
| NORPAC, and PICHKHADZE, KAREN as |) | AF# 2280 |
| treasurer; |) | |
| |) | |
| AMERICAN DIETETIC ASSOCIATION |) | AF# 2269 |
| POLITICAL ACTION COMMITTEE, and |) | |
| MIFSUD, PAUL as treasurer; |) | |
| |) | |
| BRACEPAC, and SEGAL, SCOTT as |) | AF# 2272 |
| treasurer; |) | |
| COMMERCE BANCS PAC, and ROBERT |) | AF# 2273 |
| LAY as treasurer; |) | |
| FLORIDA CITRUS MUTUAL |) | AF# 2274 |
| POLITICAL ACTION COMMITTEE, and |) | |
| KEVIN E. METHENY as treasurer; |) | |
| FOLLOW THE NORTH STAR FUND, and |) | AF# 2275 |
| HALBACH, GERALD PATRICK MR. as |) | |
| treasurer; |) | |

GRAND CANYON STATE CAUCUS, and AF# 2276
BERAN, PATRICIA NAST as treasurer;
INTEGRAPAC OF INTEGRA TELECOM) AF# 2277
HOLDINGS INC., and DALE PERRY as)
treasurer;)
JBS USA LLC PAC, and ROERTY,) AF# 2278
DENNIS as treasurer;)
LOUISIANA HEALTH CARE GROUP) AF# 2279
EMPLOYEE FEDERAL POLITICAL)
ACTION COMMITTEE INC, and SIMIEN,)
ALBERT as treasurer;)
PEANUT BUYING POINT PAC AKA) AF# 2281
PBP-PAC, and J TYRON SPEARMAN as)
treasurer;)
SUNTRUST BANK GOOD) AF# 2282
GOVERNMENT GROUP - GEORGIA,)
and BEYERS, CHRISTIAN D. MR. as)
treasurer;)
THE SENATE VICTORY FUND PAC, and) AF# 2283
ROBINSON, JOHN M. CPA as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on May 18, 2011 the Commission took the following actions on the Administrative Fines - Final Determination Recommendation for the 12 2010 Day Pre-General (Unauthorized Committees-Monthly Filers) as recommended in the Reports Analysis Division's Memorandum dated May 16, 2011, on the following committees:

AF#2265 Decided by a vote of 6-0 to: (1) make a final determination that 10TH DISTRICT REPUBLICAN CONGRESSIONAL COMMITTEE, and CONNER, MELINDA as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2268 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES, and HAUPTLI, TODD as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2271 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN SOCIETY OF PENSION PROFESSIONALS & ACTUARIES PAC, and BRIAN H.MR. GRAFF ESQ. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2280 Decided by a vote of 6-0 to: (1) make a final determination that NORPAC, and PICHKHADZE, KAREN as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2269 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN DIETETIC ASSOCIATION POLITICAL ACTION COMMITTEE, and MIFSUD, PAUL as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2272 Decided by a vote of 6-0 to: (1) make a final determination that BRACEPAC, and SEGAL, SCOTT as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2273 Decided by a vote of 6-0 to: (1) make a final determination that COMMERCE BANCS PAC, and ROBERT LAY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2274 Decided by a vote of 6-0 to: (1) make a final determination that FLORIDA CITRUS MUTUAL POLITICAL ACTION COMMITTEE, and KEVIN E. METHENY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2275 Decided by a vote of 6-0 to: (1) make a final determination that FOLLOW THE NORTH STAR FUND, and HALBACH, GERALD PATRICK MR. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2276 Decided by a vote of 6-0 to: (1) make a final determination that GRAND CANYON STATE CAUCUS, and BERAN, PATRICIA NAST as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2277 Decided by a vote of 6-0 to: (1) make a final determination that INTEGRAPAC OF INTEGRA TELECOM HOLDINGS INC., and DALE PERRY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2278 Decided by a vote of 6-0 to: (1) make a final determination that JBS USA LLC PAC, and ROERTY, DENNIS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2279 Decided by a vote of 6-0 to: (1) make a final determination that LOUISIANA HEALTH CARE GROUP EMPLOYEE FEDERAL POLITICAL ACTION COMMITTEE INC, and SIMIEN, ALBERT as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2281 Decided by a vote of 6-0 to: (1) make a final determination that PEANUT BUYING POINT PAC AKA PBP-PAC, and J TYRON SPEARMAN as treasurer,

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violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2282 Decided by a vote of 6-0 to: (1) make a final determination that SUNTRUST BANK GOOD GOVERNMENT GROUP - GEORGIA, and BEYERS, CHRISTIAN D. MR. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2283 Decided by a vote of 6-0 to: (1) make a final determination that THE SENATE VICTORY FUND PAC, and ROBINSON, JOHN M. CPA as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

May 19, 2011
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 19, 2011

Dennis Roerty, in official capacity as Treasurer
JBS USA LLC PAC
1770 Promontory Circle
Greeley, CO 80634

C00394650
AF#: 2278

Dear Mr. Roerty:

On February 2, 2011, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that JBS USA LLC PAC and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2010 Pre-General Report. By letter dated February 7, 2011, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$660 in accordance with the schedule of penalties at 11 C.F.R. § 111.43.

On February 28, 2011, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on May 18, 2011 that you, in your official capacity as treasurer, and JBS USA LLC PAC violated 2 U.S.C. § 434(a), assessed a civil money penalty in the amount of \$660 in accordance with 11 C.F.R. § 111.43, and voted to close the file.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Sari Pickerall on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,


Cynthia L. Bauerly
Chair

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FOR: JBS USA LLC PAC

FEC ID#: C00394650

AF#: 2278

PAYMENT DUE DATE: March 14, 2011

PAYMENT AMOUNT DUE: \$660

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 002 \$ 0000066000 BA# 1 02-28-11 20 3



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| | | |
|--|--|---|
| S & C Resale Company 1770 Promontory Circle Greeley, CO 80634 | | AMERICAN BANK NOTE & CO. 70-1558/719 Rockville, MD |
| Pay Six Hundred Sixty And 00/100 Dollars | | No. 700035766 Date 02/24/2011 |
| TO THE ORDER OF FEDERAL ELECTION COMMISSION PO Box 979058 ST LOUIS MO 63197-9000 | | \$660.00 [Signature] VOID AFTER 90 DAYS |



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2278

DATE SCANNED 7-5-11

SCANNER NO. 2

SCAN OPERATOR Jmp

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